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Attorneys for defendant

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

MARLENE G. MEYER,)	
)	
Plaintiff,)	
)	
v.)	
)	
ARG ENTERPRISES, INC. aka STUART)	
ANDERSON'S CATTLE COMPANY)	
RESTAURANTS,)	
)	
Defendant.)	Case 3:05-cv-00239-TMB
)	

PROPOSED ORDER

The court having considered defendant's Motion to Strike Plaintiff's Supplemental Exhibit List and previously undisclosed testimony for failure to cooperate with the court's pretrial in the above-captioned matter, hereby finds plaintiff's non disclosure of February 12, 2007 medical notes prior to the close of discovery and exchange of exhibit lists in May 2007 is unjustifiable and has caused prejudice to

defendant ARG Enterprises. Plaintiff's supplemental exhibit list dated June 5, 2007, docket number 64, is hereby stricken. Further, plaintiff and plaintiff's witnesses, including Dr. Todd Parrish, as well as plaintiff's counsel will refrain from any statements, indications or testimony regarding plaintiff's medical condition as discussed with Dr. Todd Parrish on February 12, 2007 and will further refrain from referring to this visit with Dr. Parrish.

Dated: _____

Timothy M. Burgess
U.S. District Court Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by mail this 13th day of June, 2007 to:

Robert J. Jurasek
PENTLARGE LAW GROUP
1400 W. Benson Blvd., Ste. 550
Anchorage, Alaska 99503

/s/ William A. Earnhart
RICHMOND & QUINN

2043\005\PLD\PROPOSED ORDER (STRIKE EXHIBIT LIST)

PROPOSED ORDER

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